

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6459-2023

Date of Decision: 22.05.2023

BHUPINDER SINGH KAILEY AND ANOTHER ... PETITIONERS
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Gursharan Singh, Advocate and
Mr. Parminder Pal Singh, Advocate for the petitioners.

Ms. Ruchika Sabherwal, DAG Punjab.

Mr. Anutej Singh Barnala, Advocate
for the complainant.

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VIVEK PURI, J. (ORAL)

1. On 07.02.2023, following order was passed:

“Petitioners are seeking anticipatory bail in case bearing FIR No.008 dated 15.10.2021 under Sections 498-A/406/120-B IPC, registered at Police Station NRI, District Sangrur.

Learned Senior counsel for the petitioners contend that at the earlier instance, the bail application under Section 438 Cr.P.C. was directly presented in this Court and the same was dismissed as withdrawn. Subsequently, the bail application was presented in the Court of Sessions and the same has been dismissed. The petitioners are the father-in-law and mother-in-law of the daughter of the complainant. The marriage of the son of the petitioners was solemnized with the daughter of the complainant on 27.01.2019. 5 days after the marriage, the couple shifted to Canada and the sponsorship was done by the son of the petitioners. The marital dispute has cropped up between them and the marriage has been dissolved on 06.04.2022 and Annexure P-4 is the certificate of divorce.

Notice of motion.

Ms. Ruchika Sabherwal, DAG Punjab accepts notice on behalf of the State.

Mr. Anutej Singh Barnala, Advocate has put in appearance on behalf of the complainant.

Adjourned to 22.05.2023.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the

event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

2. Learned counsel for the petitioners contend that in pursuance of the interim directions, the petitioners have joined the investigation and nothing is to be recovered from them.

3. Learned State counsel, on instructions from ASI Gurjant Singh, submits that though the petitioners have joined the investigation but recovery of articles of *istridhan* is yet to be effected.

4. The controversy as to whether the petitioners have misappropriated the articles of *Istridhan* will be a debatable and moot point during the course of trial. The petitioners have joined the investigation in pursuance of the interim directions issued by this Court.

5. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 07.02.2023 is made absolute.

22.05.2023

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No